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SUBJECT: SIXTH COMMITTEE: GENERAL DEBATE ON RULE OF LAW

¶1. Summary: On October 14, General Debate began on Sixth Committee Agenda Item 83: Rule of Law at the National and International Levels. Over fifty delegations (including the United States) and two Observer Missions addressed the Sixth Committee with most delegations making similar points on the importance of adhering to and strengthening the rule of law at the international level, which was the sub-topic for this year's debate as previously agreed. The Deputy Secretary-General highlighted the work of the Rule of Law Coordination and Resource Group. Serbia and Albania ended the general debate by exercising their rights of reply over Kosovo.

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REGIONAL STATEMENTS
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¶2. Canada, on behalf of Canada, Australia, New Zealand (CANZ), stressed the importance of adhering to rule of law and welcomed the Secretary-General's (SYG) Report (A/64/298) on the Rule of Law. CANZ praised the efforts of the Rule of Law Coordination and Resource Group and Rule of Law Unit.

¶3. Vietnam, representing ASEAN, also thanked the SYG for his report. ASEAN announced that it recently adopted a new charter in December 2008 which reaffirmed compliance with international law and committed to a "rules-based, people-centered, and more integrated ASEAN."

¶4. Mexico, on behalf of the RIO Group, promoted the SYG report, specifically the assessment that violations of international law need to be addressed through peaceful means. Mexico expressed the RIO Group's support for the International Court of Justice (ICJ) and other tribunals such as the International Criminal Court and the International Tribunal for Law of the Sea. Mexico paid tribute to the Geneva Conventions and Protocols and noted that the United Nations is best suited to play a central role in rule of law.

¶5. Tunisia, on behalf of the African Group, also promoted the principles of the U.N. charter and the ICJ. The African Group criticized what it characterized as the selective use of universal jurisdiction against African leaders.

¶6. Sweden, on behalf of the European Union, stated that strengthening the rule of law was a priority for its members. It welcomed the SYG report and advocated for a greater nexus between national and international law. Sweden reaffirmed that the adherence to rule of law is critical for conflict prevention and resolution. Finally, it recognized the work of the Rule of Law Coordination and Resource Group and the Rule of Law Unit.

¶7. Iran, on behalf of the Non-Aligned Movement (NAM), observed that the rule of law on the international level needs more attention. According to the NAM, international law needs to address the following: the principle of sovereign equality; ending selective application of international law; the respect of legitimate and legal rights of states under international law; and the prohibition of the threat or use of force in international relations.

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DEPUTY SYG ADDRESS
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¶8. Deputy Secretary-General Dr. Asha-Rose Migiro addressed the Sixth Committee to describe the work of the Rule of Law Group. She urged Member States to fulfill their obligations under international law and noted that strengthening the rule of law is instrumental in achieving U.N. goals. Migiro said her report on rule of law outlines activities to bolster the peaceful settlement of disputes. She encouraged attaching rule of law training to development assistance and said the Group was looking for a country to be the pilot for the joint program on rule of law.

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COMMON THEMES
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¶9. Public Delegate Laura Ross delivered the U.S. statement which focused on the importance of rule of law in promoting peace and security as well as in facilitating trade and

development. She cited recent Obama administration actions, such as, among other things, the order to close the detention facility in Guantanamo Bay, the signing of the Convention on the Rights of Persons with Disabilities, and United States membership of the Human Rights Council, as examples of the United States' commitment to the rule of law.

¶10. Many of the speeches highlighted similar themes. Most countries affirmed their support for adherence to the rule of law and for strengthening rule of law at the international level. Nearly all Member States commended the SYG for his report on rule of law and the efforts of the Rule of Law Unit and the Rule of Law Coordination and Resource Group. These same delegations supported the efforts of the ICJ and promoted the peaceful resolution of disputes according to international law. Some noted that there were too many violations of international law and these needed to be addressed (e.g. Norway, Serbia, Azerbaijan, and Kuwait).

¶11. Several OIC and NAM countries (notably Cuba, Syria, UAE, Iran, Pakistan, and Venezuela) complained to the Sixth Committee about the selective application of the rule of law by some Member States. In addition, numerous Member States reaffirmed the principle of sovereign equality. Several delegations criticized the Security Council for encroaching on the functions of other U.N. bodies (Cuba, Mozambique, Syria, Algeria) while others called for its reform (El Salvador and India).

¶12. Several notable statements included Kuwait and Venezuela. Kuwait criticized Israel for committing war crimes and crimes against humanity, in addition to violating human rights laws and international humanitarian law. In addition, Kuwait (as well as Libya and UAE) referenced the recent Goldstone report in its condemnation of Israel.

¶13. Venezuela, without naming the United States disparaged a country for using its hegemonic power to maintain the status quo in the United Nations. It blamed this country for the coup d'etat in Venezuela and the wars in Iraq and Afghanistan. Venezuela called for the democratization of the United Nations, legal equality among Member States, territorial integrity and an end to "hateful distinctions." In addition, Venezuela criticized the permanent members of the Security Council for flouting the U.N. Charter and for

making it impossible to achieve lasting peace and security.

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SERBIA'S RIGHT OF REPLY
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¶14. Serbia exercised its right of reply to criticize Albania for disrespecting international law and the rule of law by implying the existence of Kosovo. Serbia condemned this action, claiming that Kosovo's existence was illegal, and that the issue was currently pending before the International Court of Justice. Albania responded with its own right of reply commenting that no State should dictate to another State which States it should or should not recognize. Furthermore, Albania pointed out, over one third of the United Nations has already recognized Kosovo.
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